

**Federal Defenders
OF NEW YORK, INC.**

David E. Patton
Executive Director

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DOC #:

DATE FILED: 12/2/19 November 27, 2019

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Southern District of New York
Jennifer L. Brown
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VIA ECF

Honorable Alvin K. Hellerstein
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

**Re: United States v. Montana Vasquez
19 Cr. 034 (AKH)**

Dear Judge Hellerstein,

We write, first, to respectfully request a temporary modification of Mr. Vasquez's bail conditions, so that he may join his parents as they celebrate their 56th wedding anniversary on a 5-day cruise from December 7-12, 2019, that starts and ends in New Orleans, with two stops in Mexico in between. His parents are the two co-signers on Mr. Vasquez's bond. They will also be accompanied on the cruise by Mr. Vasquez's sister and brother-in-law. Mr. Vasquez seeks permission to travel to New Orleans on December 5 and return to New York on December 13 (he has a family friend in New Orleans with whom he can stay).

To accommodate this request, we ask the Court to suspend Mr. Vasquez's electronic monitoring condition for the dates in question, as we understand the monitor cannot work during such travel. We also ask that Mr. Vasquez's passport be temporarily returned to him for the dates of travel only. If approved, Mr. Vasquez will provide a detailed itinerary to Pretrial Services.

Pretrial Services by Officer Andrew Kessler-Cleary does not consent to this request because Pretrial does not take a position on international travel. Upon consultation with Pretrial, the Government by Assistant United States Attorney Elinor Tarlow also does not consent.

We respect the positions of both offices and acknowledge that international travel is a rare request on pretrial supervision. But given that Mr. Vasquez will be accompanied by his family – including the two people who have secured his bond – and the trip is for a short duration and marks a special family occasion, as well as the fact that at 54 years old, Mr. Vasquez has no criminal record whatsoever, we believe this request should be granted.

Second, we write to request an adjournment of the status conference that is currently scheduled for December 3rd. The Government consents to this adjournment request. We ask that in lieu of the conference, the Court schedule (or refer to Magistrate's Court to schedule) a

*Motion to adjourn status
conf. is denied. The
issue of travel will then
be discussed.
12-6-19
JLB*

change-of-plea hearing for December 19 or 20, 2019. Given that the parties are in the final stages of securing a disposition of this matter, we consent to the exclusion of time under the Speedy Trial Act between now and the newly-selected date.

Thank you for your consideration.

Respectfully submitted,

/s/

Sylvie Levine

Attorney for Mr. Vasquez

212-417-8729

cc: Elinor Tarlow
Assistant United States Attorney (by ECF)

Andrew Kessler-Cleary
Pretrial Services Officer (by email)